

REMARKS/ARGUMENTS

Claims 1, 3, 5-11, 14, 16-18, 21-26, 31, 36-69 and 41-80 were presented for examination and are pending in this application. In an Official Final Office Action dated April 13, 2006, claims 1, 3, 5-11, 14, 16-18, 21-26, 31, 36-69 and 41-80 were rejected. The Applicants thank the Examiner for his consideration and address the Examiner's comments concerning the claims pending in this application below.

Claims 1, 5-11 and 51-80 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,666,486 ("Alfieri") in view of U.S. Patent No. 6,493,716 ("Azagury") and in further view of U.S. Patent Publication 2002/0049845 ("Sreenivasan"). The Examiner also rejects claims 14, 16, 17, 21-26, 31, 36-39 and 41-50 under 35 U.S.C. § 103(a) as being unpatentable over Alfieri in view of Azagury and rejects claims 3 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Alfieri, Sreenivasan and Azagury in view of U.S. Patent Publication 2002/0152373. Applicants respectfully traverse these rejections in light of the following remarks and respectfully request reconsideration.

The Examiner asserts in the Final Office Action dated April 13, 2006 that Alfieri discloses the claimed functionality of registered callback actions having levels correlating to stages of completion of the callback action that are tunable by the systems services coordinator. The Examiner argues that "Alfieri discloses that his actions have different transition levels, the levels representing a different stage (state), and the actions have parameters which are adjustable by the administrator of the services." See USPTO Final Office Action dated April 13, 2006. The Applicants disagree with this conclusion.

The limitation of claim 1 recites registered callback actions having levels correlating to stages of completion of the callback action. Alfieri discloses that "multiple transitions for different nodes may be processed at different subsystem

levels at the same time." Alfieri Col. 5, Lines 27-43. Alfieri does not disclose levels correlating to stages of completion of the callback action as claimed by the Applicants.

The limitations of claim 1 (and claims 12, 31 and 47 in varying language) further recites that the levels are tunable by the systems services coordinator. The system services coordinator exists on each of the plurality of nodes in the cluster and acts to coordinate functions defining operational transitions in the cluster regarding centralized system services. The Examiner asserts that "his" (Alfieri) actions have different transition levels, the levels representing a different stage and the actions have parameters which are adjustable by the administrator of the services. Alfieri, however, discloses that assigning a node a particular responsibility as part of the registration operation is guided by a set of choosing parameters including Administrator supplied priority factors and recent performance criteria. *Id.* at Col 10 lines 40-Col. 11 lines 27 and Figure 18. According to Alfieri, the best node is selected by the decision making node, using choosing parameters. However, the Applicants claim that the tuning is conducted by a system services coordinator that exists on each of the plurality of nodes in the cluster. Alfieri does not disclose such a structure nor are they functionally equivalent.

Alfieri does not teach or suggest all the claim limitations as is required by MPEP 2143. Accordingly, the Applicants submit that the Examiner's argument is without merit and request the rejection be withdrawn. As the independent claims are all patentable in view of Alfieri and the additional cited art does not teach or suggest the limitations that are lacking in Alfieri, the Examiner's rejections under 35 U.S.C. §103 must fail. The rejections of the claims that depend from claims 1, 14, 31 and 47 must also fail. Reconsideration is requested.


In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should

the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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